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10/665,244

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Sheldon Kasower

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EXAMINER

SHAIKH, MOHAMMAD Z

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/665,244	Applicant(s) KASOWER, SHELDON	
	Examiner MOHAMMAD Z. SHAIKH	Art Unit 3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. This is a supplemental office action for application 10,665,244.

Status of Claims

2. Claims 1, 3-22 are pending in this application.

Claim Rejections- 35 U.S.C § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,18-19, 22 are being rejected under 35 U.S.C 103(a) as being unpatentable over US 2002/0077964 to Brody et al, herein Brody and in view of "Every Cardholder A King customers get the full treatment at issuer's Web Sites", Chuck Paustian, Card Marketing. New York: Mar 2001, Vol. 5 Iss. 2; pg 21, herein Paustian.

Regarding claim 1, Brody disclose a method for on-line monitoring and on-line interaction and control of credit information from a credit report of a consumer of credit, the method comprising: providing an on-line consumer credit information management system that allows the consumer to log onto the on-line consumer credit information management system by means of a computer ([0051]; the on-line consumer credit information management system accessing and retrieving credit information from the credit report of the consumer from a database of a credit reporting bureau that contains credit information of the consumer as reported to the

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credit reporting bureau by one or more credit grantors, the retrieved credit information comprising a plurality of credit items, each credit item associated with a specific credit grantor ([0087]). However Brody does not disclose the on-line credit information system providing the retrieved credit information in an active itemized format comprising a plurality of active links, each one said active links being associated with a respective one of the plurality of credit items to provide the consumer the ability to interact with each credit item of the credit information via the computer, and the on-line consumer credit information management system providing the consumers the ability to communicate directly with one of the credit grantors regarding the one of the credit items by selecting the active link associated. Paustian discloses the on-line credit information system providing the retrieved credit information in an active itemized format comprising a plurality of active links, each one said active links being associated with a respective one of the plurality of credit items to provide the consumer the ability to interact with each credit item of the credit information via the computer, and the on-line consumer credit information management system providing the consumers the ability to communicate directly with one of the credit grantors regarding the one of the credit items by selecting the active link associated with the credit item (Abstract, Full Text: paragraph 3; page 2: paragraph 11). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brody's invention to include the on-line credit information system providing the retrieved credit information in an active itemized format comprising a plurality of active links, each one said active links being associated with a respective one of the plurality

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of credit items to provide the consumer the ability to interact with each credit item of the credit information via the computer, and the on-line consumer credit information management system providing the consumers the ability to communicate directly with one of the credit grantors regarding the one of the credit items by selecting the active link associated with the credit item. One of ordinary skill in the art would have been motivated to include the on-line credit information system providing the retrieved credit information in an active itemized format comprising a plurality of active links, each one said active links being associated with a respective one of the plurality of credit items to provide the consumer the ability to interact with each credit item of the credit information via the computer, and the on-line consumer credit information management system.

Regarding claim 18, Brody discloses the method of claim 1. However Brody does not disclose wherein the plurality of active links are links to report inaccuracies of the credit items. Paustian discloses wherein the pluralities of active links are links to report inaccuracies of the credit items ((Abstract, Full Text: paragraph 3; page 2: paragraph 11). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brody's invention to include wherein the plurality of active links are links to report inaccuracies of the credit items. One of ordinary skill in the art at the time the invention would have been motivated to include wherein the plurality of active links are links to report inaccuracies of the credit items in order to ensure that consumers are able to dispute any charges with their credit grantors as soon as possible.

Claim 19 is being rejected using the same rationale as claim 18.

Claim 22 is being rejected using the same rationale as claim 1.

5. Claim 20 is being rejected under 35 U.S.C 103(a) as being unpatentable over Brody in view of Paustian and further in view of US 2003/0233292 to Richey et al, herein Richey.

Regarding claim 20, Brody discloses the method of claim 1. However Brody does not disclose wherein selecting the active link associated with one credit item, the on-line consumer credit information management system generates a form for directly contacting the credit grantor via mail. Richey discloses wherein selecting the active link associated with one credit item, the on-line consumer credit information management system generates a form for directly contacting the credit grantor via mail ([0025]). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brody's invention to include wherein selecting the active link associated with one credit item, the on-line consumer credit information management system generates a form for directly contacting the credit grantor via mail. One of the ordinary skill in the art would have been motivated to include wherein selecting the active link associated with one credit item, the on-line consumer credit information management system generates a form for directly contacting the credit grantor via mail in order to ensure that the individual is able to reclaim their identity as soon as possible.

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6. Claims 3-9, 11 are being rejected under 35 U.S.C § 103(a) as being unpatentable over Brody in view of Paustian and further in view of US 20023/0036223 to Crawford et al, herein Crawford.

Regarding claim 3, Brody discloses the method as set forth in claim 1. However Brody does not disclose the on-line consumer credit information management system computing the consumers credit score based upon the credit report. Crawford discloses the on-line consumer credit information management system computing the consumers credit score based upon the credit report ([0032], [0061], [0062]). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brody's invention to include the on-line consumer credit information management system computing the consumers credit score based upon the credit report. One of ordinary skill in the art would have been motivated to include the on-line consumer credit information management system computing the consumers credit score based upon the credit report in order to ensure that all consumers receive a fair and accurate credit score based on their financial position.

Regarding claim 4, Brody discloses the method as set forth in claim 3. Brody further discloses wherein the on-line consumer credit information management system provides the credit report and the credit score to the consumer via the computer (claim 1).

Regarding claim 5, Brody discloses the method as set forth in claim 3. Brody further discloses the on-line consumer credit information management system archiving the report and credit score (claim 33).

Regarding claim 6, Brody discloses the method as set forth in claim 1. Brody further discloses accessing and retrieving the consumer's credit information includes the on-line consumer credit information management system accessing the database of the credit reporting bureau on a periodic basis to obtain credit reports; and the on-line consumer credit information management system determining changes in the credit reports ([0019]).

Regarding claim 7, Brody discloses the method as set forth in claim 6. Brody further discloses including the on-line consumer credit information management system creating an alert based on the changes in the credit reports (claim 28).

Claim 8 is being rejected using the same rationale as claim 7.

Claim 9 is being rejected using the same rationale as claim 5.

Regarding claim 11, Brody discloses the method as set forth in claim 1. However Brody does not disclose the on-line consumer credit information management system computing the expected interest rates the consumer should pay for specific types of loans based on the consumers credit score; and the on-line consumer credit information system providing the expected interest rates to the consumer. Crawford discloses the on-line consumer credit information management system computing the expected interest rates the consumer should pay for specific types of loans based on the consumers credit score; and the on-line consumer credit information system providing the expected interest rates to the consumer (Fig 8). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention

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to modify Brody's invention to include the on-line consumer credit information management system computing the expected interest rates the consumer should pay for specific types of loans based on the consumers credit score; and the on-line consumer credit information system providing the expected interest rates to the consumer. One of ordinary skill in the art would have been motivated to include the on-line consumer credit information management system computing the expected interest rates the consumer should pay for specific types of loans based on the consumers credit score; and the on-line consumer credit information system providing the expected interest rates to the consumer in order to ensure that individuals with the highest credit scores received the lowest interest rates on their credit cards.

7. Claims 10, 12-13 are being rejected under 35 U.S.C 103(a) as being unpatentable over Brody in view of Paustian and further in view of US 2002/0173994 to Ferguson III.

Regarding claim 10, Brody discloses the method as set forth in claim 1. Brody further discloses the on-line consumer credit information management system allowing the consumer to report an identity theft via the on-line consumer credit management system ([0087]). However Brody does not disclose the on-line consumer credit information management system providing forms to the consumer for reporting identity theft to selected organizations; and the on-line consumer credit information management system receiving completed forms from the consumer and the on-line consumer credit information management system providing the completed forms to the selected organizations. Ferguson III discloses the on-line consumer credit

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information management system providing forms to the consumer for reporting identity theft to selected organizations; and the on-line consumer credit information management system receiving completed forms from the consumer and the on-line consumer credit information management system providing the completed forms to the selected organizations ([0058], [0070]). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brody's invention to include the on-line consumer credit information management system providing forms to the consumer for reporting identity theft to selected organizations; and the on-line consumer credit information management system receiving completed forms from the consumer and the on-line consumer credit information management system providing the completed forms to the selected organizations. One of ordinary skill in the art would have been motivated to include the on-line consumer credit information management system providing forms to the consumer for reporting identity theft to selected organizations; and the on-line consumer credit information management system receiving completed forms from the consumer and the on-line consumer credit information management system providing the completed forms to the selected organizations in order to ensure that the consumer is able to reclaim their identity as soon as possible.

Claims 12-13 are being rejected using the same rationale as claim 5.

8. Claims 14-15, 17, 21 are being rejected under 35 U.S.C 103(a) as being unpatentable over Brody in view of Ferguson III and further in view of Crawford.

Regarding claim 14, Brody discloses a method for on-line monitoring and on-line interaction and control of credit information from a credit report of a consumer of credit, the method comprising: providing an on-line consumer credit information management system that allows the consumer to log onto the on-line consumer credit information management system by means of a computer ([0051]); the on-line consumer credit information management system allowing the consumer to select at least two or more of the following services offered by the on-line consumer credit information management system: obtaining and tracking credit reports and/or scores; monitoring credit (claim 1 ; [0019]) and accessing credit information archived by the on-line consumer credit information management system (claim 33). However Brody does not disclose: reporting lost credit cards; identity theft reporting; calculating hypothetical interest rates that the consumer should pay for specific types of loans based on the consumer's credit information. Ferguson III discloses reporting lost credit cards; identity theft reporting ([0058]; Fig F). Crawford discloses calculating hypothetical interest rates that the consumer should pay for specific types of loans based on the consumer's credit information (Fig 8). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Brody's invention to include reporting lost credit cards; identity theft reporting; calculating hypothetical interest rates that the consumer should pay for specific types of loans based on the consumer's credit information. One of ordinary skill

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in the art would have been motivated to include reporting lost credit cards; identity theft reporting; calculating hypothetical interest rates that the consumer should pay for specific types of loans based on the consumer's credit information in order to ensure that when a consumer loses their credit card that they immediately report it to the appropriate credit agencies. This is to ensure that if someone finds their credit cards and starts using them, and does not pay for them, the consumer's credit score is not affected. Furthermore, by protecting their credit scores, consumers are ensured to receive the best possible interest rates from lenders.

Regarding claim 17, Brody discloses the method of claim 21. Brody further discloses the online consumer credit information management system retrieving the credit information from the database of a credit reporting bureau that contains credit information of the consumer as reported to the credit reporting bureau by one or more of the credit grantors ([0020]).

Regarding claim 21, Brody discloses the method of claim 14. Brody further discloses the on-line consumer credit information management system accessing and retrieving credit information comprising a plurality of credit items, each credit item associated with a specific credit grantor, and storing the retrieved credit information in a credit information management database; and wherein each of the services offered by the on-line consumer credit information management system obtains credit information used by the services from the credit information management database (claims 1&2).

Regarding claim 15, Brody discloses the method of claim 21. Brody further discloses the on-line consumer credit information management system providing credit information of the consumer from the credit information management database to the consumers computer based on one of the services selected by the consumer (claim 1).

9. Claim 16 is being rejected under 35 U.S.C 103(a) as being unpatentable over Brody in view of Ferguson III and Crawford and further in view of Paustian.

Regarding claim 16, Brody discloses the method of claim 15. However Brody does not disclose the on-line consumer credit information management system allowing the consumer to request changes in the consumer's credit information directly with one or more credit grantors. Paustian discloses the on-line consumer credit information management system allowing the consumer to request changes in the consumer's credit information directly with one or more credit grantors (Abstract, Full Text: paragraph 3; page 2: paragraph 11). Therefore it would have obvious to one of ordinary skill in the art at the time of the invention to modify Brody's invention to include the on-line consumer credit information management system allowing the consumer to request changes in the consumer's credit information directly with one or more credit grantors. One of ordinary skill in the art would have been motivated to include the on-line consumer credit information management system allowing the consumer to request changes in the consumer's credit information directly with one or more credit grantors in

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order to ensure that consumers are able to dispute any charges with their credit grantors as soon as possible.

RESPONSE TO ARGUMENTS

In applicants arguments from March 23, 2009, applicant argues " There is no motivation to combine Brody, Ferguson III and Crawford to obtain the claimed features of claim 14. The rejection asserts that it would be obvious to combine :reporting lost credit cards, identity theft reporting and calculating hypothetical interest rates in order to ensure that the consumer's credit is always protected. However, calculating hypothetical interest rates, for example, bears little relation to ensuring that the consumer's credit is always protected"

Examiner, respectfully disagrees. For example, if an individual loses his wallet, which more than likely contains his or her social security card, credit cards and other forms of identification. First of all, the consumer will contact their credit card company first, so that they can cancel their card and they will not be charged for purchases by someone other than themselves. Secondly, the individual will immediately contact the three credit reporting agencies to notify them that their credit card has been lost or stolen in order for any negative credit information be recorded in their credit reports. Additionally, if an individual does not perform these steps, there is a high probability that their credit and credit scores will become adversely affected. As a result, when they wish to purchase a house or car, the lender will not offer them the lowest interest rate, and they will have to accept a much higher rate of return. Therefore in view of the above arguments, there is motivation to combine the Brody, Ferguson III and Crawford references.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD Z. SHAIKH whose telephone number is (571)270-3444. The examiner can normally be reached on Monday-Friday (7:30-5); alt Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. Z. S./
Examiner, Art Unit 3696
8/28/2009

Mohammad Z Shaikh
Examiner
Art Unit 3696

/THOMAS A DIXON/
Supervisory Patent Examiner, Art Unit 3696